

Present Sh. Kushaldeep Garg Advocate for applicant.
 Sh. CS Dhillon Advocate for respondent.

Rejoinder not filed. In view of provisions of Section 89, read with Order 10 of CPC, and the law laid down by Hon'ble Apex Court in case titled as **Afcons, Infracture Limited Vs. Cherian Varkey Construction Co. 2010 (8) SCC-24**, the parties were asked as to whether there is any element of compromise between them and choice of five ADR processes has been explained to the parties, but the parties have been stated that at this stage there is no chance of compromise between them. Heard. From the pleadings of the parties, following issues are framed:

1. Whether judgment and decree dated 16.04.2022 is liable to be set aside? OPA
2. Whether the present application is not maintainable? OPR
3. Relief.

No other issue arises nor pressed during the course of arguments. Now to come up on 25.01.2024 for evidence of the applicant. PF/DM and list of witnesses, if any, be filed within 14 days, failing which no assistance would be provided by the Court for summoning of the witnesses.

Date of Order:24.11.2023

(Mamta Kakkar),
ACJ(SD)/Phul
UID No. PB0359